

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.

Rulemaking 10-05-006  
(Filed May 6, 2010)

**DECISION GRANTING COMPENSATION TO THE UNION OF CONCERNED SCIENTISTS FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 12-04-046**

<b>Claimant: Union of Concerned Scientists (UCS)</b>	<b>For contribution to Decision (D.) 12-04-046</b>
<b>Claimed (\$): \$33,994.25</b>	<b>Awarded (\$): \$33,113.00 (reduced 2.6%)</b>
<b>Assigned Commissioner: Michael Peevey</b>	<b>Assigned ALJ: Peter V. Allen</b>

**PART I: PROCEDURAL ISSUES**

- A. Brief Description of Decision:** D.12-04-046 approves a settlement for the 2010 long term procurement planning (LTPP) system plan, and makes various determinations on Track III rules, including contracting with once-through cooling (OTC) generation units, the procurement of electricity from utility-owned generation (UOG) versus procurement from independent generators, and IOU procurement of greenhouse gas (GHG) compliance products. This Decision is the culmination of not only work regarding LTPP policies and practices in Rulemaking (R.) 10-05-006, but also R.08-02-007. Work performed by Energy Division staff, their consultants, and stakeholders including Union of Concerned Scientists (UCS), provided the foundation that was necessary to develop the Commission-required scenarios for the 2010 LTPP. The development of planning standards and assumptions for these scenarios occurred through several workshops, filings, “homework assignments” and working group meetings. Although R.08-02-007 was closed without a final ruling, through the issuance of the May 13, 2010 *Order Instituting*

*Rulemaking* (OIR) establishing R.10-05-006, the California Public Utilities Commission (Commission) specified that “Contributions made during the pendency of R.08-02-007 to issues within the scope of this proceeding may be considered for compensation in this proceeding.” (OIR, at 27). UCS is claiming hours from both R.10-05-006 and R.08-02-007 in this request.

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	April 2, 2008; June 14, 2010	Yes
2. Other Specified Date for NOI:		N/A
3. Date NOI filed:	NOI filed in R.08-02-007 on May 2, 2008.  On July 9, 2010, UCS submitted a NOI in R.10-05-006 and requested that its eligibility for compensation in R.08-02-007 be continued into the present proceeding.	Yes
4. Was the NOI timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on Administrative Law Judge (ALJ) ruling issued in proceeding number:	R.06-02-012	Yes
6. Date of ALJ ruling:	September 14, 2006	Yes
7. Based on another Commission determination (specify):		N/A
8. Has the Claimant demonstrated customer or customer-related status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	R.06-02-012	Yes

10. Date of ALJ ruling:	September 14, 2006	Yes
11. Based on another Commission determination (specify):		N/A
12. Has the Claimant demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.12-04-046	Yes
14. Date of Issuance of Final Order or Decision:	April 24, 2012	Yes
15. File date of compensation request:	June 22, 2012	Yes
16. Was the request for compensation timely?		Yes

**C. Additional Comments on Part I:**

#	Claimant	CPUC	Comment
3	X		UCS is requesting compensation for the substantial amount of work that went into developing the methodology, inputs, and assumptions for the four Commission-required scenarios that provided the foundation for the 2010 system plan settlement agreement in R.10-05-006 that is adopted in this Decision. This would not have been possible had it not been for the large amount of analytical work in R.08-02-007 that formed the assumptions for the scenarios addressed in the 2010 LTPP.

**PART II: SUBSTANTIAL CONTRIBUTION****A. Claimant's claimed contribution to the final decision:**

Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
<b><i>Greenhouse Gas (GHG) Uncertainty:</i></b> In R.08-02-007, one of the first issues the Commission addressed was how future LTPP standards and practices should evaluate the uncertain costs of different portfolios in the face of GHG regulations at the state level (under AB 32) or the federal level. UCS was an active participant in the Commission's GHG proceeding, R.06-04-009, and applied its experience by submitting pre-workshop comments jointly with the Natural Resources Defense Council ("NRDC")		

and participating in the July 10, 2008 workshop. Specifically:		
1. UCS assisted the Commission in developing a record for and otherwise informing the foundation for the 2010 LTPP system plan settlement by advocating for scenario modeling that accounted for the indirect effect of carbon prices on other variables, such as the price of natural gas, demand, retirement of fossil fuel plants, and the hedging value of long-term renewable energy contracts.	UCS/NRDC Pre-Workshop Comments on GHG Uncertainty, filed June 30, 2008, at 7-10.	Yes
2. UCS urged the Commission to consider “high,” “medium,” and “low” carbon price scenarios and suggested specific literature to guide the assumptions on various carbon prices.	UCS/NRDC Pre-Workshop Comments on GHG Uncertainty, filed June 30, 2008, at 3-7.	Yes
3. UCS urged the Commission to model various scenarios beyond the 10-year LTPP planning period to understand how portfolio choices in the next 10 years would impact achieving the state’s long-term GHG reduction goals under AB 32, which extend to 2050.	UCS/NRDC Pre-Workshop Comments on GHG Uncertainty, filed June 30, 2008, at 10-17.	Yes
<b>33% RPS Implementation:</b> A second major focus in R.08-02-007, of which UCS was heavily involved, was the development of assumptions behind, and the refinement of, a 33% RPS Implementation Analysis. This analysis formed the basis of assumptions regarding how many renewable generation resources would be developed to meet the 33% RPS, where they would be developed, what it would cost to develop them, and what infrastructure (i.e. transmission lines) would need to be upgraded or construction to support them. The 33% RPS Implementation Analysis also		

<p>formed the foundation for the RPS integration model developed by the California Independent System Operator (CAISO) and significantly impacted the overall procurement analysis undertaken in the 2010 LTPP. In order to provide the level of technical feedback necessary to participate in the Energy Division's 33% RPS Integration Analysis Working Group (IAWG), UCS hired Dr. Matthias Fripp, a renewable energy expert who developed <i>Switch</i>, the first large-scale power system planning model with enough hour-by-hour and project-by-project detail to identify least-cost strategies for regions with large shares of intermittent power and co-optimize investments in wind, solar and conventional generation capacity and transmission. Dr. Fripp worked closely with UCS Senior Energy Analyst Laura Wisland to prepare responses to a data request prior to the August 26, 2008 33% RPS Implementation Analysis workshop. Both Fripp and Wisland provided the Energy Division with feedback at the workshop. At the request of Energy Division staffer Simon Baker, Fripp prepared a technical memo on renewable energy technology cost trends and projections that contained substantial information on technology costs over time and references for more information on the issues. (See Appendix C). Finally, Fripp and Wisland prepared extensive and technical comments in response to the Preliminary 33% RPS Implementation Analysis. Specifically:</p>		
<p>1. UCS provided information on the level of granularity required to understand the system needs to integrate a 33% RPS and how the data could be collected.</p>	<p>UCS Pre-Workshop Comments on the Methodology, Scope, and Stakeholder Process for the 33% RPS Implementation Analysis, filed August 15, 2008, at 5-7.</p>	<p>Yes; <i>see</i> Section II, Part C.</p>

<p>2. UCS highlighted some caveats to using a “supply curve” approach to estimate the amount of renewables needed to reach the 33% RPS and what other approaches the Commission might want to consider in order to better reflect the dynamic nature of the current power system.</p>	<p>UCS Pre-Workshop Comments on the Methodology, Scope, and Stakeholder Process for the 33% RPS Implementation Analysis, filed August 15, 2008, at 3-4.</p>	<p>Yes; <i>see</i> Section II, Part C.</p>
<p>3. UCS provided suggestions for how the Commission could account for “beyond 2020” policy issues, especially the likelihood of significant technology improvement and cost reduction over time, particularly for solar PV technologies and the role that energy storage could play in integrating large amounts of intermittent generation resources.</p>	<p>UCS Pre-Workshop Comments on the Methodology, Scope, and Stakeholder Process for the 33% RPS Implementation Analysis, filed August 15, 2008, at 7-8.</p>	<p>Yes; <i>see</i> Section II, Part C.</p>
<p>4. As a follow-up to UCS’s comments on the need for at least one RPS scenario to assume renewable energy technology improvement and cost reductions over time, UCS was asked by Simon Baker, who was leading the LTPP proceeding for Energy Division at the time, to develop a memo that contained more detail on what types of assumptions the Commission could use to reflect technology cost declines over time. The memo also contained a robust set of literature that supported such assumptions. Since this memo was not filed with the Commission, UCS has included a copy of it in Appendix C of this request.</p>	<p>UCS Renewable Technology Cost Trends and Projections Memo, submitted to Simon Baker on November 24, 2008.</p>	<p>Yes; Appendix C is not attached to this Decision. However, Appendix C can be located in UCS’s Intervenor Compensation Request via the Commission’s website.</p>
<p>5. UCS also provided technical comments following a December 16, 2008 IAWG meeting regarding its concern that solar cost estimates proposed for the 33% RPS Implementation Analysis were too high because they did not assume price declines over time. These comments also</p>	<p>UCS Comments on the December 16, 2008 Presentation to the 33% RPS Implementation Analysis Working Group, submitted Jan. 6, 2009, at 1-2.</p>	<p>Yes; <i>see</i> Section II, Part C.</p>

<p>stressed the importance of optimizing transmission to renewable energy zones that are comprised of resources with complementary generation profiles, to reduce the amount of transmission that would need to be constructed to meet the 33% RPS.</p>		
<p>6. UCS provided extensive technical feedback on the 33% Preliminary RPS Implementation Analysis, which was released on June 12, 2009. This feedback included 16 pages of general comments on the RPS Calculator, which was submitted to the Energy Division on August 26, and responses to technical questions posed to the IAWG and TCWG, which were submitted on August 28<sup>th</sup>. UCS's comments centered around the various ways UCS believed the RPS calculator overestimated the costs of reaching the 33% RPS, including attributing the entire cost of building new transmission lines to the 33% RPS, assuming no transmission could be built to out-of-state renewable energy zones, excluding non-California wind resources, and failing to assume any technology cost declines over time.</p>	<p>UCS Comments on Energy Division's 33% RPS Implementation Analysis Preliminary Report, submitted August 26, 2009, at 3-16; and UCS responses to technical questions for 33% RPS Implementation Working Group and Transmission Constrained Working Group, submitted August 28, 2009, at 1-3.</p>	<p>Yes; <i>see</i> Section II, Part C.</p>
<p><b>2010 LTPP Planning Standards:</b> A third area of focus within R.08-02-007 that involved UCS was the development of standardized resource planning practices, assumptions and analytic techniques that could be applied in future long-term procurement plans, beginning with the 2010 LTPP. UCS actively participated in this effort, by submitting pre-workshop comments jointly with NRDC that preceded an August 28, 2008 workshop, participating in the workshop, participating in the LTPP Planning Scenarios and Metrics Working Group</p>		

and responding to several Energy Division data requests, and responding to the LTPP Planning Standards staff proposal. Specifically:		
1. In its pre-workshop comments on planning scenarios and metrics, among other things, UCS provided feedback on the Commission's proposed Guiding Principles for LTPP scenario development, how to quantify risk in long-term portfolios, and how to approach environmental performance metrics across scenarios.	UCS/NRDC Pre-workshop Comments on Planning Scenarios and Metrics, filed August 22, 2008, at 1-7.	Yes; <i>see</i> Section II, Part C.
2. Pre-workshop comments also contained specific input assumptions for the 2010 LTPP reference case scenario and a proposal for a "technology advancement and innovation" scenario that would contain more aggressive assumptions regarding technology performance improvements and technology cost declines than the reference case.	UCS/NRDC Pre-workshop Comments on Planning Scenarios and Metrics, filed August 22, 2008 at 9-15.	Yes; <i>see</i> Section II, Part C.
3. In response to a data request following the August 28, 2008 Scenarios and Metrics workshop, UCS submitted comments regarding the analytic steps that the Commission and the IOUs should take after developing scenarios but before selecting a preferred portfolio, and the cost metrics that should be used to evaluate different portfolios. UCS stressed the importance of expressing costs as impacts to average electricity bills (not rates) to reflect the cost-savings potential of energy efficiency.	UCS/NRDC Comments in Response to the August 29, 2008 Energy Division Request Regarding LTPP Scenarios and Metrics, filed September 5, 2008, at 5.	Yes; <i>see</i> Section II, Part C.
4. UCS also provided comments on the Aspen/E3 report that surveyed utility resource planning and procurement practices for application to the 2010 LTPP that emphasized the importance of	UCS/NRDC Comments on the Aspen/E3 Draft "Survey of Utility Resource Planning and Procurement Practices for Application to Long-Term	Yes in part and No in part; <i>see</i> Section II, Part C.



measuring the GHG emission reduction potential of each planning scenario, and “homework” responding to Energy Division questions regarding how environmental issues should be addressed in the LTPP. Here, UCS cautioned against a detailed environmental screening or ranking process in the LTPP because detailed consideration of the environmental attributes of renewable energy projects is highly specific and should be done during the actual permitting process. However, UCS did support the IOUs incorporating permitting considerations when building up renewables for various scenarios, to ensure the portfolios did not assume large quantities of renewable energy resources that would never get built for environmental reasons.	Procurement Planning in California,” filed October 1, 2008, at 1-2; and UCS/NRDC “Homework” Response Comments in Response to Energy Division Request Regarding LTPP Environmental Issues, at 1-4.	
5. In response to the Energy Division’s LTPP Straw Proposal, released on July 1, 2009, UCS jointly filed comments with the Green Power Institute (GPI) that emphasized the need to develop the 2010 LTPP in a way that achieves the State’s GHG emission reduction goals. Specifically, the comments strongly supported the Energy Division’s LTPP Straw proposal in lieu of the one proposed by Southern California Edison (SCE) and San Diego Gas and Electric Company (SDG&E) which attempted to limit the LTPP process to development of a bundled plan.	UCS/GPI Comments on the Energy Division Straw Proposal for LTPP Standards, filed August 21, 2009, at 2-3.	Yes
6. The UCS/GPI joint comments on the LTPP Straw Proposal also identified several limitations to relying exclusively on the Commission’s Preliminary 33% RPS Implementation Analysis and the results of the Renewable Energy Transmission Initiative (RETI), which provide conceptual frameworks for	UCS/GPI Comments on the Energy Division Straw Proposal for LTPP Standards, filed August 21, 2009, at 6-9.	Yes

renewable energy planning, but should not be considered roadmaps for “optimal” renewable energy development to meet the 33% RPS.		
7. Finally, the UCS/GPI comments proposed including a “market transformation” scenario that assumed declining technology costs over time, and included a list of academic literature references that provided supporting material on the declining costs of solar resources in an appendix to its comments.	UCS/GPI Comments on the Energy Division Straw Proposal for LTPP Standards, filed August 21, 2009, at 12-13.	Yes
8. UCS also submitted reply comments on the LTPP Straw Proposal that provided further evidence for rejecting the SCE/SDG&E alternative proposal, supported the inclusion of a “transmission constrained scenario” in the 2010 LTPP system plan, and provided additional support for quantifying GHG emissions reductions on both the system and bundled plans.	UCS/GPI Reply Comments on the Energy Division Straw Proposal for LTPP Standards, filed August 31, 2009.	Yes
<b>2010 LTPP Planning Standards:</b> On May 13, 2010, R.08-02-007 was subsumed by R.10-05-006. UCS participated in the first major activity in R.10-05-006, which was to develop the planning standards for the 2010 system plans. UCS coordinated its participation with NRDC, and focused on planning assumptions related to renewables and energy efficiency.		
1. UCS submitted comments on the need to assume a 33% RPS by 2020 in the base case, assume renewable energy cost declines over time, and include at least one scenario that assumed the deployment of energy storage technologies.	UCS/NRDC Comments on Resource Planning Assumptions- Part 1, Procurement Planning Assumptions and Rulebook, filed June 21, 2010, at 4-5.	Yes

2. These comments also emphasized the importance of performing sensitivity analyses that changed the dispatch of resource portfolios and the need to include energy efficiency savings in the reference case assumptions.	UCS/NRDC Comments on Resource Planning Assumptions- Part 1, Procurement Planning Assumptions and Rulebook, filed June 21, 2010, at 6-7.	Yes
3. On July 9, 2010, UCS and NRDC responded to six questions posed by the Energy Division regarding renewable resource planning standards for the 2010 system plans. The comments pointed out the unusually high capital costs assumed for geothermal resources, and the high operation and maintenance costs for wind. In addition, the comments questioned why E3 had not assumed any fixed operation and maintenance costs for geothermal, and once again pointed out the limitations of assuming no technology cost declines over time. These comments also emphasized a concern that transmission upgrade and construction costs were being exclusively attributed to the 33% RPS when in reality, many of these upgrades would be necessary without additional renewable energy development. Finally, the comments urged the Commission to assume some level of energy storage technology deployment to understand how energy storage could play a role integrating renewables without generating additional fossil fuel emissions through the combustion of natural gas.	<p>UCS/NRDC Comments on Resource Planning Assumptions- Part 2, Long-term Renewable Resource Planning Standards, filed July 9, 2010, at 2-3.</p> <p>UCS/NRDC Comments on Resource Planning Assumptions- Part 2, Long-term Renewable Resource Planning Standards, filed July 9, 2010, at 5-7.</p>	Yes
4. UCS also filed reply comments on the 2010 LTPP renewable resource planning standards that provided additional feedback to the Energy Division on how the “discounted core” should be developed for all scenarios, and the importance of exploring whether some coal plant retirements in the Western Electricity Coordinating Council (WECC) should be assumed based on	UCS Reply Comments on Resource Planning Assumptions- Part 2, Long-term Renewable Resource Planning Standards, filed July 16, 2010.	Yes

EPA analyses at the time.		
---------------------------	--	--

**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was the Division of Ratepayer Advocates (DRA) a party to the proceeding?</b>	Yes	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes	Verified
<b>c. If so, provide name of other parties:</b> NRDC, GPI, TURN, CEERT. To a lesser extent, IEP, PG&E, SCE, SDG&E.  In conducting its work, UCS consistently coordinated its efforts in this proceeding with other parties as much as possible to avoid duplication of effort and to ensure efficiency. Any duplication that occurred in this proceeding was unavoidable due to parties' sometimes similar interests, and the overwhelming number and scope of issues addressed in the decision.		Verified
<b>d. Describe how you coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</b>  UCS coordinated comments with NRDC regarding issues pertaining to GHG uncertainty, since both organizations had collaborated in the Commission's GHG proceeding (R.06-04-009). UCS also coordinated comments with NRDC on the 2010 LTPP scenario development, to combine UCS's expertise in renewables with NRDC's core focus on energy efficiency.  UCS joined forces with GPI to provide comments on the Energy Division's LTPP Straw Proposal since we anticipated both groups would be advocating for the same types of changes.		Verified; we make no reductions to UCS's hours for duplication of efforts with other parties.

**C. Additional Comments on Part II:**

<b>#</b>	<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
9	X		<p>In D.98-04-059, the Commission adopted a requirement that a customer must demonstrate that its participation was "productive," as that term is used in § 1801.3. The Commission directed customers to demonstrate productivity by attempting to assign a reasonable dollar value to the benefits of their participation to ratepayers. UCS requests that the Commission treat this compensation request as it has treated similar past requests with regard to the difficulty of establishing specific monetary benefits associated with the participation of consumer and environmental intervenors.</p> <p>In a policy proceeding such as this one, particularly one concerned as much with environmental benefits as economic benefits, it is extremely difficult to</p>

			estimate the monetary benefits of UCS's participation. However, UCS submits that its contributions to developing long-term procurement planning standards to adequately plan for long-range GHG emission reduction goals, and developing specific assumptions to understand the implications of increasing the amount of renewable energy generation on the electricity grid, will benefit ratepayers. In D.07-12-052 (concerning the 2006 LTPP) the Commission found that "An overarching problem in all the IOU's plans is the absence of any scenario analysis regarding the types of resources the IOUs should use to fill their net short positions to best transition to the forthcoming GHG-constrained world." <sup>1</sup> UCS's participation in R.08-02-007 and R.10-05-006 from 2008 through 2010 to improve the development of the LTPP process was based on the belief that an open, rigorous and systematic long-range planning process is crucial to transitioning California's reliance away from fossil fuels and toward energy efficiency and renewables, in order to meet the state's 2050 emission reduction goals. UCS did not continue its work on the LTPP into 2011 and participate in the settlement agreement process because of resource constraints and its general support for the foundation of assumptions that were behind the 2010 system plan settlement.
		X	Many of the documents the Union of Concerned Scientists (UCS) note in the above section were not formally filed with the Commission. Instead, these documents were served only to members of this proceedings' service list. The Commission finds that these documents were given the same level of due diligence as those that were formally filed. Thus, the Commission accepts the following documents cited to by UCS: (1) UCS Pre-Workshop Comments on the Methodology, Scope, and Stakeholder Process for the 33% RPS Implementation Analysis, served August 15, 2008; (2) UCS Comments on the December 16, 2008 Presentation to the 33% RPS Implementation Analysis Working Group, served January 6, 2009; (3) UCS Comments on Energy Division's 33% RPS Implementation Analysis Preliminary Report, submitted August 26, 2009; (4) UCS responses to technical questions for 33% RPS Implementation Working Group and Transmission Constrained Working Group, served August 28, 2009; (5) UCS/NRDC Pre-workshop Comments on Planning Scenarios and Metrics, served August 22, 2008; (6) UCS/NRDC Comments in Response to the August 29, 2008 Energy Division Request Regarding LTPP Scenarios and Metrics, served September 5, 2008; and (7) UCS/NRDC "Homework" Response Comments in Response to Energy Division Request Regarding LTPP Environmental Issues.
		X	The Commission is unable to verify UCS citation to "UCS/NRDC Comments on the Aspen/E3 Draft "Survey of Utility Resource Planning and Procurement Practices for Application to Long-Term Procurement Planning in California," served October 1, 2008." This inability to verify is due to UCS's inability to locate the served-only document.

<sup>1</sup> D.07-12-052, available at [http://docs.cpuc.ca.gov/PUBLISHED/FINAL\\_DECISION/76979.htm](http://docs.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/76979.htm).

**PART III: REASONABLENESS OF REQUESTED COMPENSATION****A. General Claim of Reasonableness (§§ 1801 & 1806):**

<b>a. Concise explanation as to how the cost of Claimant's participation bears a reasonable relationship with benefits realized through participation.</b>	<b>CPUC Verified</b>
<p>UCS provides, in Appendix A, a list of filings in this proceeding. Appendix E is a detailed explanation of the rates requested for each UCS staff or consultant that contributed work in this proceeding.</p> <p>UCS's work materially assisted the Commission in developing the planning standards and renewable energy assumptions that will be used and expanded for future LTPP processes. UCS submits that its work in this case therefore can be expected to save ratepayers many times the cost of our participation. As such, the Commission should find that the costs of UCS's participation bear a reasonable relationship to the magnitude of UCS's contributions, and that UCS's overall participation was productive.</p>	<p>Verified;</p> <p>Appendix E refers to Pages 14 thru 16 of UCS's original filed Request. Commission staff requested UCS to transpose the information contained in its free-formed Intervenor Compensation Request and copy it to the Form Intervenor Compensation Request the program prefers. UCS clarified that the information cited to as "Appendix E" refers to the information contained in its original filed Request, in the pages mentioned above.</p>
<p><b>b. Reasonableness of Hours Claimed.</b></p> <p>The hours and expenses claimed by UCS are reasonable and properly detailed, and the hourly rates requested are reasonable and consistent with rates requested by other intervenors for staff of similar experience and expertise, as well as with rates paid by IOUs to their staff and to outside consultants with similar experience and expertise.</p> <p>UCS has maintained detailed records of time spent on these proceedings, which are provided in Appendix B. UCS is seeking compensation for time spent by staff and outside consultants. The hours claimed are reasonable given the scope of this proceeding and the complexity of the issues presented. No compensation for administrative time or local travel time is requested, in accordance with Commission practice.</p> <p>The individuals who worked on this phase of the proceeding and for whom UCS is requesting compensation are current UCS staff member Laura Wisland, and consultants Matthias Fripp and Clyde Murley. A summary of the hours, requested rates, and amount of request by individual is provided below:</p>	<p>Verified</p>

<b>c. Allocation of Hours by Issue</b> GHG Uncertainty: 6% 33% RPS Implementation Analysis: 50% 2010 LTPP Planning Standards: 43% (Also see Appendix B)	Verified
---	----------

**B. Specific Claim\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Dr. Matthias Fripp	2008	42.75	\$125	See Appendix E <sup>2</sup>	\$5,343.75	42.75	\$125	\$5,343.75
Dr. Matthias Fripp	2009	69.00	\$125	See Appendix E	\$8,625.00	69	\$125	\$8,625.00
Laura Wisland	2008	71	\$125	D.11-07-022	\$8,875.00	63.75	\$125	\$7,968.75
Laura Wisland	2009	44.8	\$130	D.11-07-022	\$5,824.00	44.8	\$130	\$5,824.00
Laura Wisland	2010	19.65	\$135	D.11-07-022	\$2,652.75	19.65	\$135	\$2,652.75
Clyde Murley	2009	9.75	\$205	See Appendix E <sup>3</sup>	\$1,998.75	9.75	\$205	\$1,998.75
	Subtotal:				\$33,319.25	Subtotal:		\$32,413.00
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
n/a	n/a	n/a	n/a	n/a	n/a			
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Laura Wisland	2012	10	\$67.50	D.11-07-022	\$675.00	10	\$70	\$700
	Subtotal:				\$675.00	Subtotal:		\$700
COSTS								
#	Item	Detail			Amount	Amount		
	n/a	n/a			n/a			
						Subtotal:		

<sup>2</sup> After clarification with UCS, "Appendix E" refers to pages 14 thru 16 of UCS's original filed Request.

<sup>3</sup> See D. 11-07-022.

<b>TOTAL REQUEST \$:</b>	<b>\$33,994.25</b>	<b>TOTAL AWARD \$:</b>	<b>\$33,113.00</b>
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate</p>			

**C. Union of Concerned Scientists' Comments and Attachments on Part III:**

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
1	Certificate of Service
2	Appendix A: List of UCS Filings Relevant to D.12-04-046
3	Appendix B: UCS Summary of Staff and Consultant Hours
4	Appendix C: Technical Memo to Simon Baker on Renewable Cost Trends and Projections, November 24, 2008
5	Appendix D: Curriculum Vitae for Dr. Matthias Fripp
6	Appendix E: Explanation of Rates
7	Verification

**D. CPUC Disallowances & Adjustments:**

<b>#</b>	<b>Reason</b>
1. Disallowance for documents unable to be located.	UCS cites to many documents that were served-only pleadings. The Commission accepts these citations and has reviewed all but one of these documents. UCS was unable to find the document entitled UCS/NRDC Comments on the Aspen/E3 Draft "Survey of Utility Resource Planning and Procurement Practices for Application to Long-Term Procurement Planning in California," filed October 1, 2008. As such the Commission will disallow the time spent on these documents, a total of 5.25 hours. This time will come out of Laura Wisland's time claimed in 2008. Although the Commission doesn't doubt the productivity of these documents, without being able to review them the time allotted for this task is disallowed.
2. Rate adoption for Dr. Matthias Fripp.	The Commission finds UCS's reasoning for Dr. Fripp's rates compelling and awards Dr. Fripp the requested rate of \$125 per hour for work completed in 2008 and 2009.
3. Increase in 2012 hourly rates.	Abiding by Resolution ALJ-281 2012 hourly rates are automatically raised to reflect the 2.2% Cost-of-Living Adjustment adopted by the resolution.



**PART IV: OPPOSITIONS AND COMMENTS**

<b>A. Opposition: Did any party oppose the Claim?</b>	No
<b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?</b>	Yes

**FINDINGS OF FACT**

1. The Union of Concerned Scientists has made a substantial contribution to Decision 12-04-046.
2. The requested hourly rates for the Union of Concerned Scientists' representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$33,113.00.

**CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

**ORDER**

1. The Union of Concerned Scientists is awarded \$33,113.00
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall pay the Union of Concerned Scientists their respective shares of the award, based on their California-jurisdictional electric revenues for the 2011 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in the Federal Reserve Statistical Release H.15, beginning September 5, 2012, the 75<sup>th</sup> day after the filing of the claimant's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.
4. This decision is effective today.

Dated \_\_\_\_\_, at Carmel-by-the-Sea, California.

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	<b>No</b>
<b>Contribution Decision(s):</b>	D1204046		
<b>Proceeding(s):</b>	R1005006		
<b>Author:</b>	ALJ Peter Allen		
<b>Payer(s):</b>	Pacific Gas and Electric Company, San Diego Gas and Electric Company, and Southern California Edison Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Union of Concerned Scientists (UCS)	6/22/12	\$33,994.25	\$33,113.00	No	Missing documents; increase in 2012 hourly rates.

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Matthias	Fripp	Expert	UCS	\$125	2008	\$125
Matthias	Fripp	Expert	UCS	\$125	2009	\$125
Laura	Wisland	Analyst	UCS	\$125	2008	\$125
Laura	Wisland	Analyst	UCS	\$130	2009	\$130
Laura	Wisland	Analyst	UCS	\$135	2010	\$135
Laura	Wisland	Analyst	UCS	\$135	2012	\$140
Clyde	Murley	Expert	UCS	\$205	2009	\$205

**(END OF APPENDIX)**